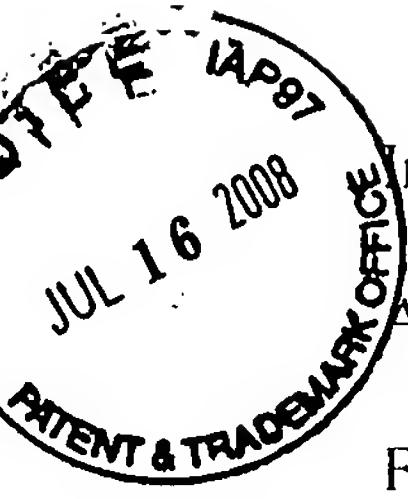


Ttu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of: **Mitsunori MATSUDA et al.**

Art Unit: **2614**

Application Number: **10/570,153**

Examiner: **Unassigned**

Filed: **March 1, 2006**

Confirmation Number: **1865**

For: **OPERATING SYSTEM OF CONSTRUCTION MACHINERY**

Attorney Docket Number: **062102**
Customer Number: **38834**

REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop: Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

July 16, 2008

Sir:

Please supply the undersigned attorney with a corrected filing receipt for the above-identified application. The undersigned also respectfully requests that the Patent and Trademark Office records be amended to reflect the correction.

In reviewing the Official Filing Receipt, we noted an error in the **Total Claims** and the **Assignee City**. The **Total Claims** should read --16--, and the **Assignee City** should read --TOKYO, JAPAN--. Copies of the **Assignment** and the **Claims** are enclosed which indicate the correct information. We are also enclosing a copy of the filing receipt with the corrections highlighted.

If any fees are required in connection with this paper, please charge Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

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SGA/da

Enclosures: Official Filing Receipt; Assignment; Claims



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/570,153	03/01/2006	2614	900	062102	15	16-3

CONFIRMATION NO. 1865

38834

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

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OC000000030728013

FILING RECEIPT

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Date Mailed: 07/03/2008

WESTERMAN, HATTORI
DANIELS & ADRIAN, LLP

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

Applicant(s)

Mitsunori Matsuda, Osaka, JAPAN;
Kouji Hoshi, Osaka, JAPAN;

Assignment For Published Patent Application

KOMATSU LTD., Minato-ku, JAPAN : -- TOKYO, JAPAN -- :

Power of Attorney: The patent practitioners associated with Customer Number 38834

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/12644 09/01/2004

Foreign Applications

JAPAN 2003-310366 09/02/2003
JAPAN 2004-196907 07/02/2004

If Required, Foreign Filing License Granted: 06/29/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/570,153**

Projected Publication Date: 10/09/2008

Non-Publication Request: No

Early Publication Request: No

Title

Operating System of Construction Machinery

Preliminary Class

379

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U.S. ASSIGNMENT

(Insert ASSIGNEE's Name(s) Address(es))

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter ASSIGNOR) by

KOMATSU LTD.

3-6, Akasaka 2-chome, Minato-ku, Tokyo 107-8414 Japan

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

(Title of Invention)

OPERATING SYSTEM OF CONSTRUCTION MACHINERY

(*If the assignment is being filed after the filing of the application, this section must be completed)

for which application for Letters Patent of the United States was executed on even date herewith unless otherwise indicated below:

* filed on _____ Serial No. _____

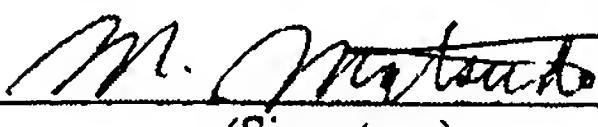
(Westerman, Hattori, Daniels & Adrian, LLP is hereby authorized to insert the series code, serial number and/or filing date hereon, when known)

and all Letters Patent of the United States to be obtained therefore on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted.

The ASSIGNOR agrees to execute all papers necessary in connection with the application and any continuation, divisional, reissue or reexamination applications thereof and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient

The ASSIGNOR agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding which may be declared concerning this application or any continuation, divisional, reissue or reexamination thereof or Letters Patent or reissue patent issued thereon and to cooperate with the ASSIGNEE in every way possible in obtaining and producing evidence and proceeding with such interference, litigation, or other legal proceeding.

(Signatures)



(Signature)

Mitsunori MATSUDA

(Type Name)

30 Jan. 2006

(Date)



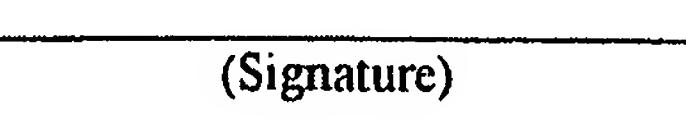
(Signature)

Kouji HOSHI

(Type Name)

30 Jan. 2006

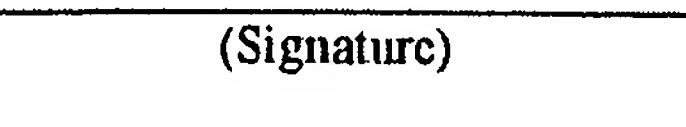
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CLAIMS



1. An operating system for a construction machine comprising:

setting means (36) for setting a target value with respect to a frequency distribution of a prescribed state value relating to an operational condition of the construction machine;

detecting means for detecting a prescribed state value; and

control means (35) for calculating the frequency distribution of said prescribed state value detected by said detecting means, comparing said frequency distribution thus calculated with said target value set by said setting means (36), and outputting a previously prepared message in accordance with the comparison result.

2. The operating system for a construction machine according to claim 1, wherein

a plurality of regions are set in a range of possible variation of said prescribed state value;

said setting means (36) sets said target value for each of said regions; and

said control means (35) compares said frequency distribution with said target value, for each of said regions, and outputs said message in accordance with the comparison result for each of said regions.

3. The operating system for a construction machine according to claim 1, wherein

 said setting means (36) sets target values for a plurality of prescribed state values;

 said detecting means detects a plurality of prescribed state values; and

 said control means calculates a plurality of frequency distributions of said plurality of prescribed state values, compares said frequency distributions with said target values for said prescribed state values respectively, and outputs a previously prepared message in accordance with the combination of comparison results for said plurality of prescribed state values.

4. The operating system for a construction machine according to claim 1, wherein said prescribed state value is a hydraulic oil pressure.

5. The operating system for a construction machine according to claim 1, wherein said prescribed state value is an engine speed.

6. The operating system for a construction machine according to claim 1, wherein said prescribed state value is a frequency of a work action.

7. The operating system for a construction machine according to claim 1, wherein said prescribed state value is a fuel consumption amount or a fuel consumption rate.

8. The operating system for a construction machine according to claim 1, wherein said message is displayed on a monitor screen (26) in an operator's cab (11).

9. The operating system for a construction machine according to claim 1, wherein said message is issued by means of a voice announcement from a voice generator.

10. The operating system for a construction machine according to claim 1, wherein the whole system is mounted in the construction machine.

11. The operating system for a construction machine according to claim 1, further comprising:

an component (40) located in the construction machine and another component (41) located outside the construction machine, wherein said message is sent from the component outside the construction machine to the component in the construction machine.

12.The operating system for a construction machine according to claim 1, wherein said message is displayed on a section located outside the construction machine.

13.An operating system for a construction machine comprising:

setting means (36) for setting a target value with respect to a frequency of a workless state of the construction machine;

detecting means for detecting a workless state during a period that an engine of said construction machine is operated; and

control means (35) for calculating a frequency of said workless state detected by said detecting means, comparing the frequency of said workless state thus calculated with said target value set by said setting means, and outputting a previously prepared message in accordance with the comparison result.

14.The operating system for a construction machine according to claim 13, wherein said workless state is a state where an automatic deceleration function is engaged.

15.The operating system for a construction machine according to claim 13, wherein said workless state is a state where a lever lock function is engaged.

16. An operational control method comprising the steps of:

setting a target value with respect to a frequency distribution of a prescribed state value relating to an operational condition of a construction machine;

detecting a prescribed state value;

calculating the frequency distribution of said prescribed state value detected by detecting means, comparing said frequency distribution thus calculated with said target value set by said setting means (36), and outputting a previously prepared message in accordance with the comparison result.